



City of San Diego

City Attorney

CRIMINAL DIVISION MISDEMEANOR PROSECUTION

April 14, 2005



City of San Diego

Criminal Division Staff

60 Attorneys

11 Investigators

89 Support Staff

City Attorney



City of San Diego

WORKLOAD

45,000 Cases screened

35,000 Cases issued

City Attorney



TYPES OF MISDEMEANOR CASES

- ◆ Consumer
- ◆ Environment
- ◆ Zoning & Building Code Violations
- ◆ Illegal Street Racing
- ◆ Driving Under the Influence (DUI)
- ◆ Gang Violence
- ◆ Theft



TYPES OF MISDEMEANOR CASES

- ◆ Quality of Life Crimes
- ◆ Child Abuse
- ◆ Domestic Violence
- ◆ Sex Offenses
- ◆ Sex Offender Registration Violations
- ◆ Prostitution



CRIMINAL DIVISION UNITS

- ◆ General Trial
- ◆ Issuing & Arraignment
- ◆ Proposition 36: Drug Court
- ◆ Dispute Resolution
- ◆ Appellate



City of San Diego

CRIMINAL DIVISION SPECIALIZED UNITS

- ◆ Public Integrity
- ◆ Drug Abuse Response Team (DART)
- ◆ Neighborhood Prosecution
- ◆ Code Enforcement

City Attorney



CRIMINAL DIVISION SPECIALIZED UNITS

- ◆ Domestic Violence, Child Abuse & Sex Crimes
- ◆ Consumer & Environmental Protection
- ◆ San Diego Traffic Offenders Program (STOP)



City of San Diego

Neighborhood Prosecution Unit

Angie Reddish-Day

April 14, 2005



City of San Diego

Neighborhood Prosecution Unit



The Neighborhood Prosecution Unit of the San Diego City Attorney's Office works in partnership with the San Diego Police Department, other agencies, and the community to aggressively and creatively combat crimes that impact quality of life

City Attorney



City of San Diego

Problem-Oriented Prosecutors in Your Neighborhood

- Established in 1997 to work in partnership with community members and police officers on developing long-term solutions to neighborhood crime problems
- Five neighborhood prosecutors are assigned to work in more than 25 San Diego neighborhoods in Central, Mid-City, Northern, and Western Divisions
- Two assigned San Diego Police Officers & several additional liaison officers working on problem-oriented policing projects (SIP, HOT)

City Attorney



Partnerships

- **San Diego Police Department**
- **San Diego City Council Offices**
- **Mayor Dick Murphy's Staff**
- **Neighborhood Code Compliance**
- **SDPD Homeless Outreach Team (HOT)**
- **PERT**
- **SART/SARB**
- **California Dept. of Environmental Health**
- **Cal Trans**



Partnerships

- **City Traffic Engineering**
- **City Planning**
- **City Environmental Services**
- **City Park and Recreation**
- **City Community Service Center Staff**
- **County Health and Human Services**
- **Mid-City for Youth**
- **Family Health Services**
- **Home Start**
- **SAY San Diego**



Partnerships

- **San Diego Rescue Mission**
- **Salvation Army**
- **St. Vincent de Paul**
- **Vietnam Veterans of San Diego**
- **California Corrections Dept., Parole Division**
- **California Alcoholic Beverage Control**
- **San Diegans United for Safe Neighborhoods**





Partnerships

- **Safe Streets Now**
- **Downtown San Diego Partnership**
- **Clean & Safe Program**
- **Neighborhood Associations**
- **Community Councils**
- **Business Improvement Districts**



City of San Diego

Neighborhood Prosecution Unit Activities

- Problem-Solving Training & Lineups
- Liaison & Prosecutorial Resource to SDPD & Community
- Established Offices at Area Commands
- Participate in Police Problem-Solving and other Community Meetings, Events, & Presentations



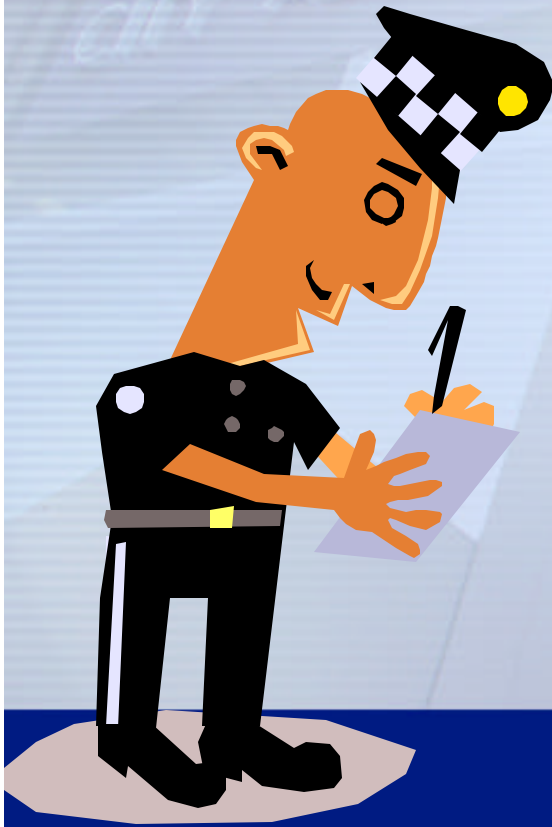
City Attorney



City of San Diego

Prosecute Quality-of-Life Crimes

- **Misdemeanor**
 - Vandalism/Graffiti
 - Prostitution
 - Loitering With Specific Intent (Prostitution/Narcotics Activity)
 - Drunk in Public/Under the Influence Drugs
 - Transient Crimes/Transient Camps
 - Pushcart Vendors
 - Disturbing the Peace



City Attorney



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Neighborhood Prosecutors Problem-Solving in Targeted Areas

- Prosecution of Problem-Oriented Policing Projects
 - Illegal Lodging in the San Diego Riverbed & Downtown
 - C Street Project
 - Prostitution on El Cajon Blvd
 - Loud Parties/Underage Drinking in College & Beach areas
- Chronic & Repeat Offenders/ Problem Offenses
 - Serial Inebriate Program (SIP)
 - Officer Notification System (ONS) and Stay Away Orders
- Community Development Projects & Outreach
 - Stockton Tunnel
 - Graffiti Removal
 - Juveniles and Justice Program
- Drafting Ordinances to Solve Problems





City of San Diego

San Diego Riverbed Mission Valley

- Environmentally sensitive riverbed from the San Diego River to the Pacific Ocean
- Neighborhood Prosecutors work with the San Diego Police Department to clean up transient encampments and vertically prosecute cases originating from these locations.
- Defendants ordered to stay away upon conviction
- Enforcement/Clean-up effort: Neighborhood Prosecution Unit, SDPD, and the San Diego River Foundation



City Attorney





City of San Diego

Community-Based Solutions

- **Stand Down**

Annual collaborative homeless court event specifically addressing the needs of military veterans living on the streets.



- **Homeless Court**

In partnership with the Office of the Public Defender and the San Diego Superior Court, the City Attorney's Office participates in this monthly court held at a local homeless shelter to assist offenders who are participating in rehabilitative programs clear their misdemeanor warrants and get a new start.



City Attorney

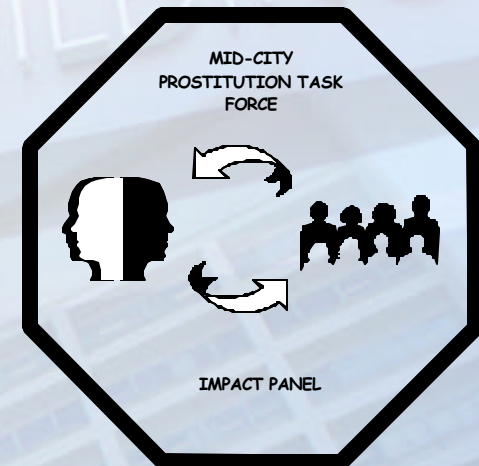


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Community-Based Solutions

- **Mid-City Prostitution Task Force:**

A community-based and community-driven task force established in October 2000 to reduce prostitution in Mid-City by providing education and alternatives to offenders.



- **Prostitution Impact Panel:**

Implemented in January 2002, this monthly panel educates "john" offenders – men who solicit or agree to engage in sex for money – about the far-reaching impact of prostitution activity and why prostitution is NOT a victimless crime.



City Attorney



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Community-Oriented Criminal Justice

Community Courts in San Diego



Mid-City Community Court

City Attorney



Community Courts Shared Principles

- **Accountability of offenders to community victimized by quality-of-life crimes**
- **Proactive intervention to stop chronic criminal conduct**
- **Direct involvement of the community in the criminal justice process**



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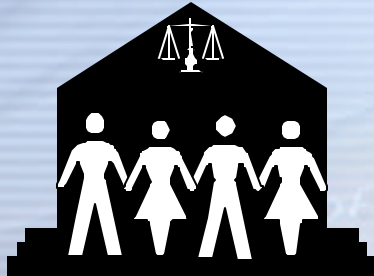
Community Court Partners

- **San Diego City Attorney's Office**
- **San Diego Police Department**
- **Criminal Justice Agencies**
 - **Superior Court**
 - **Public Defender**
- **Community Organizations**
 - **Downtown San Diego Partnership**
 - **Neighborhood Associations, Town Councils, HOA's, and community business groups**

City Attorney



City of San Diego



Mid-City Community Court

- **Launched February 2003**
- **Entire Mid-City Division**
- **Pre-Filing Model**
- **Sanctioning Panel**
- **Administrative Fees**
- **Corrective Behavior Institute**
- **Quarterly Advisory Board**



- **Launched October 2002**
- **Central Division 520's Service Area**
- **Post-Filing Model**
- **Superior Court**
- **Court Fines**
- **Clean and Safe Program**
- **Bi-monthly Advisory Board**



City of San Diego

Mid-City Community Court Quality-of-Life Crimes

- **Vandalism**
- **Graffiti**
- **Prostitution**
- **Disturbing the Peace/Noise**
- **Possession of Marijuana**
- **San Diego Municipal Code Violations**



Mid-City Community Court

City Attorney



Mid-City Community Court

- **Statistics (2/03-3/05)**
 - **205 Offenders**
 - **81% Compliant**
 - **54 Community Court Session held**
 - **1700 Community Work Service Hours**
 - **98 Referrals to educational and preventative programs**
 - **\$28,000 fines/fees imposed**



City of San Diego

Downtown Community Court Quality-of-Life Crimes

- **Disturbing the Peace**
- **Drinking in Public**
- **Petty Theft**
- **Possession of Marijuana**
- **Select Ballpark Codes**
- **Trespass**
- **Urinating in Public**
- **Vandalism/Graffiti**



City Attorney



Downtown Community Court

- **Statistics (10/02-3/05)**
 - **139 Offenders**
 - **89% Compliance**
 - **1600 Community Work Service Hours**
 - **21 Referrals to social services**
 - **82 Dismissed Cases**



City of San Diego

Restorative Justice



CLEAN AND SAFE DOWNTOWN
SAN DIEGO PARTNERSHIP

City Attorney



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Neighborhood Prosecution Unit Meeting Measurable Goals

- **Improving quality of life in targeted neighborhoods;**
- **Building meaningful partnerships to proactively and creatively solve community crime problems;**
- **Expanding the prosecutorial tools to more effectively address neighborhood quality-of-life crime priorities; and**
- **Holding misdemeanor offenders accountable in the criminal justice system and to the community that has been harmed by quality-of-life crimes.**

City Attorney



The Community Benefits

- Long-standing relationships and partnerships
- Open line of communication between the City Attorney's Office and the communities that we serve
- A community voice in the criminal justice system
- Tremendous Community Support





City of San Diego

San Diego Traffic Offenders Program (STOP)

**Linda Peter
Deputy City Attorney**

April 14, 2004



STOP PROGRAM

- **Partnership between SDPD and the City Attorney's Office**
- **Team of Officers with one Sergeant focus full time on habitual traffic offenders**
- **CY 2004, 8,529 cases issued; 72% from SDPD**
- **Train and assist other officers on driver's license offenses and enforcement**



VEHICLE FORFEITURES

- **Authorized by state law**
- **CY 2004, 138 vehicles forfeited**
To date (1997 through April 2005) 1,195 vehicles forfeited
- **FY 2005 (July 04 through March 16, 2005)**
\$24,290 revenue to city's general fund
- **FY 2004, \$97,833 to city's general fund**



City of San Diego

Vehicles Forfeited from Habitual Traffic Offenders



City Attorney



ILLEGAL STREET RACING

- **CY 2004, 58 cases prosecuted**
Contrast: 290 cases in 2001
155 cases in 2002; 60 cases in 2003
- **Zero deaths, 4 injuries during CY 2004**
(city streets)
Contrast: 8 deaths, 16 injuries in 2002
1 death, 2 injuries in 2003



City of San Diego

Illegal Street Racing Deaths, Dramatic Decline



City Attorney



CITY'S PROACTIVE MEASURES

- **Spectator Ordinance, October 2002**
- **Vehicle Forfeiture Ordinance, April 2003**
- **Spectator Ordinance upheld on appeal, March 2004**



City of San Diego

Consumer and Environmental Protection Unit

Cindy Davis
Head Deputy City Attorney

April 14, 2005



City of San Diego

City Attorney's Office Charges Business Owner with Environmental Crimes



City Attorney



City of San Diego

Consumer and Environmental Protection Unit



City Attorney



Who We Are and What We Do

- **Founded in 1972**
- **4 Attorneys, 2.5 Investigators, 2 Staff**
- **In 2004:**
 - **Filed over 125 cases**
 - **Handled over 450 consumer complaints and 2,000 calls**
 - **Over \$339,000 in restitution to consumers**
 - **Over \$600,000 in Civil Costs**
 - **Over \$ 1.3 million in Civil Penalties**
 - **Over \$1.1 million in for national consumer victims**

Environmental Protection Prosecutions

- Storm Water Violations
- Illegal Dumping
- Fish and Game and Resource Violations
- Hazardous Waste Violations
- Air Pollution Violations

Environmental Successes

- Prosecuted Grant Hill metal plating shop for dumping hazardous waste into City sewers
- Illegal asbestos removal contractor ordered to publish consumer warnings
- Prosecuted boat marine contractor polluting San Diego Bay
- Screened 180 complaints for Storm Water Prevention Program

Consumer Protection Prosecution

- False Advertising
- Fraud and Unfair Business Practices
- Unlicensed Contractors / Professionals
- Internet Fraud / Identity Theft
- Illegal Slot Machines and Car Dealers
- Adulterated Food
- Tobacco Control
- Pawn Brokers / Second Hand Dealers

Consumer Protection Successes

- **People v. Pacific Beach Portraits**
 - Wedding photographer sentenced to jail and ordered to pay over \$49,000 in restitution to 61 newlywed couples
- **Operation “Legal Limo”**
 - Successful prosecution of illegal unlicensed limousine operators in downtown San Diego
- **People v. John “Vinny” Johnson**
 - Television repair scammer sent back to jail for 7 years for ripping off over 120 San Diego consumers

Multi Jurisdictional Consumer Prosecution Successes

- **People v. Walmart and Walgreens**
 - Illegal sales of AbEnergizer
- **People v. Macy's West**
 - Scanner violations – rebates to consumers
- **People v. BP Arco**
 - Violations of Underground Storage Tank Regulations
- **People v. Rite Aid**
 - Advertising violations – expired products and pricing



City of San Diego

Environmental Protection Prosecutions

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City Attorney



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City of San Diego

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City Attorney



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City of San Diego

Code Enforcement Unit (CEU)

Diane Silva-Martinez
Head Deputy City Attorney

April 14, 2005



City of San Diego



City Attorney



Code Enforcement Unit

- Created in 1984
- The first proactive effort to address blight and community needs (Council District 4)
- Key = Partnerships with community and Police combined with aggressive judicial actions



**CODE
ENFORCEMENT
PARTNERSHIPS**

City Attorney's Office

Community Groups

**Law Enforcement –
(Community Policing)**

Code Inspectors

Council Offices

Property/Business Owners

Volunteers

Numerous Other Agencies



City of San Diego

Broken Window Theory

**Blight Breeds Crime
In Neighborhoods**

Drug Activity

Prostitution

Vandalism

Graffiti

Transient Activity

Tells Crime To “Come On In”

City Attorney



City of San Diego

PROACTIVE NOT COMPLAINT DRIVEN

City Attorney



Purpose of Partnership Meetings

- Discuss Problem Properties
- Address Community Needs
- Brainstorm/Create Game Plan
- Achieve Timely Results



CEU Embraces Community Prosecution Philosophy

- Prosecutor is problem-solver who works closely with police, community
- Bring all resources to solve the problem (long-term solutions)



CREATIVE PROSECUTION

- CEU uses a variety of legal remedies (civil, criminal prosecution, administrative remedies)
- Creative legal strategies
- Comprehensive approach
- Long term results



VIOLATIONS PROSECUTED BY CEU

- Public Nuisance Violations
- Substandard Housing
- Lead Hazards
- Building Violations
- Zoning Violations--Illegal Businesses/Uses
- Vacant and Abandoned Structures



VIOLATIONS PROSECUTED BY CEU

- Water Theft
- Fire Hazards
- Storage and Waste Violations
- Destruction of Environmentally Sensitive Land--Illegal Grading



VIOLATIONS PROSECUTED BY CEU

- Destruction of Historical Resources
- Miscellaneous Land Use Violations e.g.,
Erosion Control, Vernal Pools,
Encroachments
- Health Violations



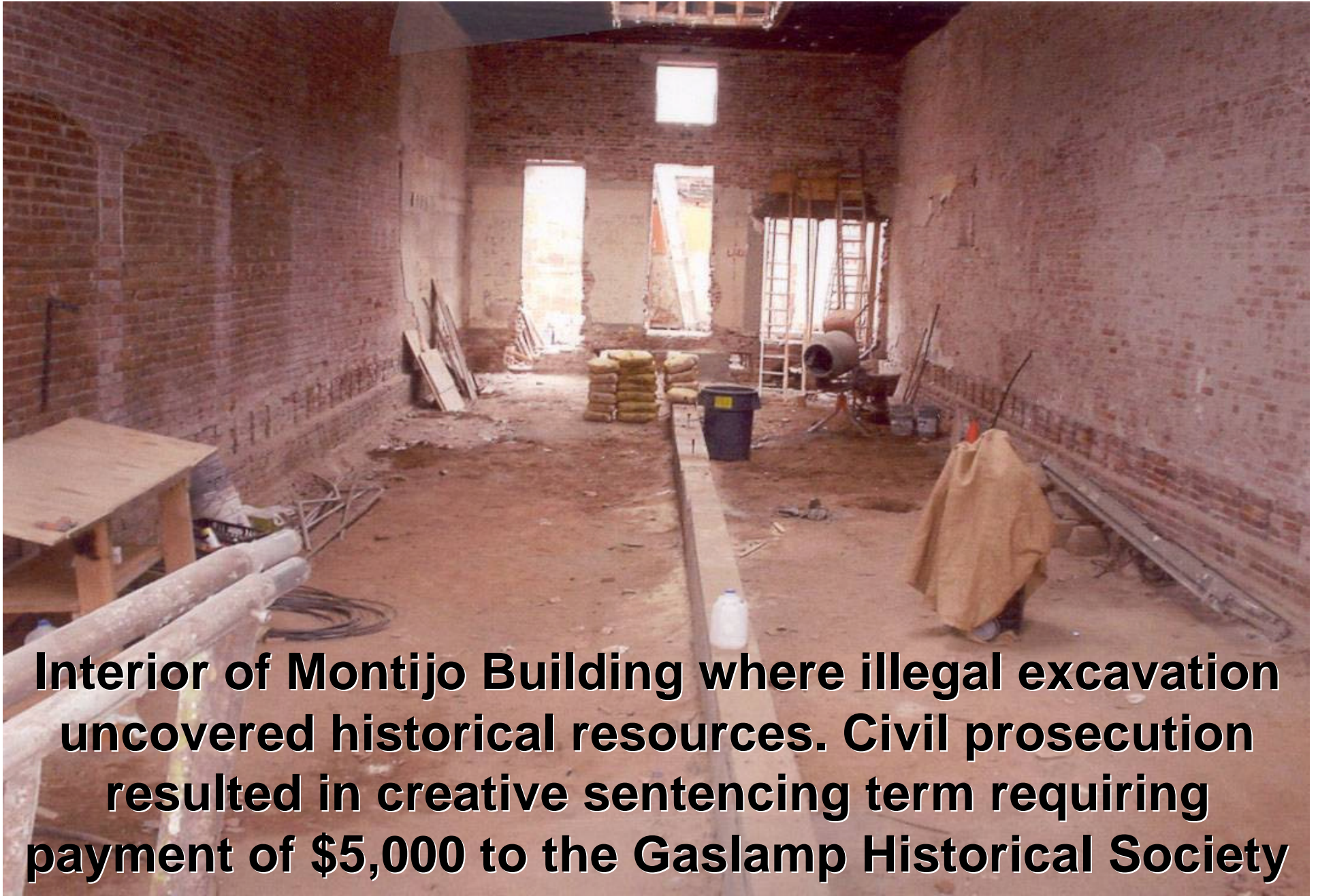
**Code Enforcement
Unit civilly
prosecuted
commercial tenants
of this downtown
historical building for
allowing unauthorized
construction.**

City Attorney



**Pottery and utensils
uncovered by illegal
remodel of historical
building.**

City Attorney



Interior of Montijo Building where illegal excavation uncovered historical resources. Civil prosecution resulted in creative sentencing term requiring payment of \$5,000 to the Gaslamp Historical Society

City Attorney

A photograph showing a steep, eroded dirt hillside. The soil is reddish-brown and appears to be in a state of active erosion, with exposed tree roots and a small, partially buried structure visible in the background. The foreground shows a dirt path or road. The overall scene suggests illegal grading or land clearing.

Code Enforcement Unit regularly prosecutes developers who illegally grade environmentally sensitive land and destroy natural habitat.

City Attorney

CEU prosecuted this private property owner who illegally graded and built decks in open space.



City Attorney



City of San Diego

Continual Training of City Departments and Code Enforcement Personnel

City Attorney



City of San Diego

RECENT SUCCESSFUL CASES

Water Theft

- ***People v. RCG Carmel County Associates*** --Developer of luxury apartments illegally hooked up to city water supply. Civil settlement required payment of \$23,516 in civil penalties and investigative costs and \$21,483 in restitution to the City.
- ***People v. Del Mar Development*** -- Commercial developer used City water without water meters. Civil settlement required payment of \$9,460 in civil penalties, \$5,000 in investigative costs and \$540 in restitution.

City Attorney



RECENT SUCCESSFUL CASES

- ***People v. Mark Allan Funding--*** developer demolished a historical structure in Sherman Heights without prior permits or authorization. Civil prosecution resulted in \$35,000 fine, recovery of investigative costs, and \$10,000 donation to the Sherman Heights Community Center as restorative justice.



RECENT SUCCESSFUL CASES

- ***People v. Stratton***-- Property owner subdivided an old fire station into illegal housing units which were rented out to mostly low-income tenants. Building and Health and Safety violations were rampant. Civil prosecution resulted in \$10,000 in civil penalties; \$5,346 in investigative costs and a \$7,000 donation to the San Diego Police Foundation to be used in support of their Serial Inebriate Program. The rehabilitation of the property is well underway.



Substandard house on Imperial Avenue. Tenants relocated. Property now being rehabilitated per Court Order.

City Attorney

A photograph showing a group of people outdoors in front of a building. A man in a suit is handing a check to another man in a suit. A police officer stands to the left. A sign in the background reads 'CITY OF SAN DIEGO ATTORNEY'S OFFICE' and 'ENFORCEMENT UNIT'. A banner with 'LES FICE' is visible. A man in a plaid shirt is in the foreground, facing away from the camera. A sign on the building says 'VOLUNTEER' and 'COP'.

City Attorney delivers monies to non-profit groups (Ocean Beach CDC and San Diego Rescue Mission) as part of Court orders requiring restorative justice.



City of San Diego

TYPICAL CONDITIONS FOUND IN NUISANCE PROPERTIES

City Attorney



City of San Diego

TRANSIENTS



City Attorney



City of San Diego

CRIMINAL ACTIVITY



City Attorney



City of San Diego

UNSANITARY CONDITIONS



City Attorney



City of San Diego

HAZARDOUS CONDITIONS



City Attorney



City of San Diego

CEU works in partnership with NCCD to address negative impacts of abandoned properties.





City of San Diego



Code Enforcement Unit filed a civil action against the owner of this public nuisance property. Court Order requires timely rehabilitation.

City Attorney



City of San Diego

SUCCESSFUL CASES PROSECUTED BY CEU



Before

**Vacant property
successfully rehabilitated
through CEU prosecution**



After

City Attorney



City of San Diego



Before

Another successful CEU prosecution of a vacant property. San Diego Vacant Properties Program has become a national model.



After

City Attorney



Prevention Strategies

- **Proactive Community Oriented programs for low-income residents**
 - Early code enforcement intervention
 - housing repair by non-profits
 - grants for rehab
 - education
- **City programs**
 - neighborhood clean-ups
 - fix-it/paint-it campaigns
- **Volunteers**



Aggressive Prosecution Results in

- **Creative Sentencing**
 - **restorative justice = repair harm to the community**
- **High Fines**
- **Recovery of Investigative Costs**
- **Accountability**



Since July 1, 2004 CEU has recovered

- **\$97, 491 in civil penalties**
- **\$1,500 in criminal fines**
- **\$16,747 in investigative costs**
- **\$56,844 in restitution**



Code Enforcement Unit

- **National and State model for innovative approaches and aggressive prosecution**
- **Awarded \$400,000 state grant in 2001 to 2004 for substandard housing enforcement in Council District 8**
- **This fiscal year received \$127,000 at the recommendation of the Affordable Housing Task Force**



PROACTIVE CODE ENFORCEMENT RESULTS IN

- **Community Pride**
- **Decrease in Crime**
- **Increase in Public Safety**
- **Economic Development**
- **Increase in Property Values**
- **Better Quality of Life for
our Neighborhoods**



City of San Diego

Drug Abatement Response Team (DART)

**Makini Hammond
Head Deputy City Attorney**

April 14, 2005



DART community prosecutors work to address nuisance properties within the City of San Diego where the nuisance activity is created by *criminal* activity.



City of San Diego

**DART community prosecutors
are partners with San Diego
Police Department (SDPD) and
the Neighborhood Code
Department (NCCD) as the core
of the City 's Civil Nuisance
Abatement Task Force- DART.**

City Attorney



City of San Diego

Public Safety Prosecution Protecting San Diego's Quality of Life



City Attorney



City Attorney's new DART Unit

- **In January 2005 DART became a stand alone unit within the City Attorney's Office.**
- **In 2004 DART prosecutors had a caseload of over 100 abatement cases.**
- **DART prosecutors have recently expanded their scope of work to include Gang and Vice Unit cases as well as the Narcotic Unit.**



City of San Diego

Community Nuisances that are Addressed by DART's Civil Nuisance Abatement Actions

- **Drug Houses/Apartments/Businesses**
- **Gang Properties or Territories**
- **Prostitution**
- **Vice or Alcohol-related Nuisances
(Bars, Nightclubs)**
- **Public Nuisance properties**

City Attorney



City of San Diego

DART Prosecutors and Gang Unit Eradicated Open Drug Market on Raven Street



City Attorney



City of San Diego

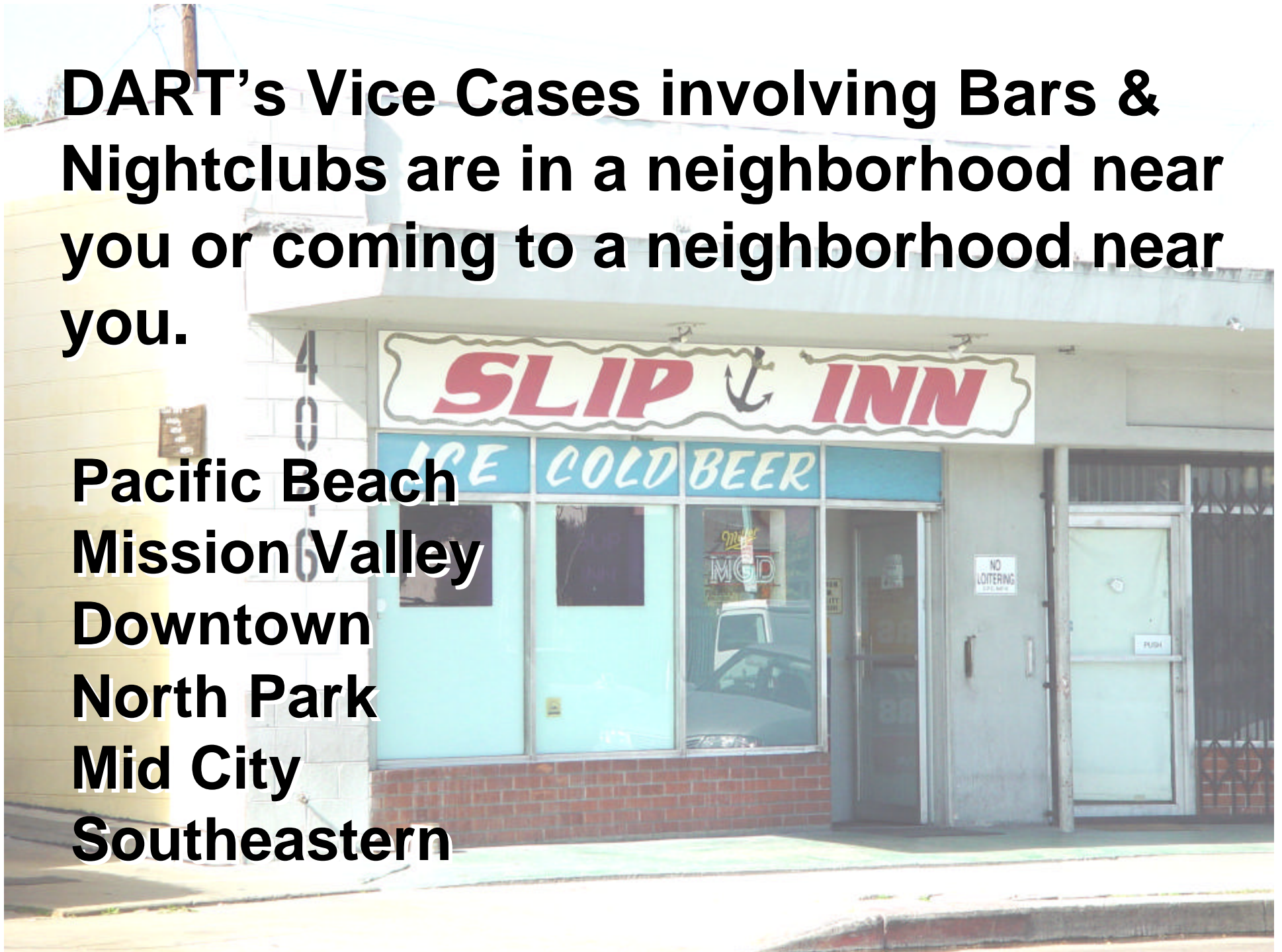
DART Prosecutors filed the City's first gang abatement case in 1998 and added new gang members to it in 2004



City Attorney

DART's Vice Cases involving Bars & Nightclubs are in a neighborhood near you or coming to a neighborhood near you.

**Pacific Beach
Mission Valley
Downtown
North Park
Mid City
Southeastern**





BENEFITS TO COMMUNITIES OF NUISANCE ABATEMENTS

- **NEIGHBORHOOD REVITALIZATION
THROUGH:**
 - **Neighborhood Empowerment**
 - **Rebuilding of Community Controls**
 - **Promotion of Community Investment
and Economic Development**



Methods the Community Uses to Refer Nuisance Properties to DART

- **Complaints to the SDPD**
- **Community Problem Solving Meetings**
- **Neighborhood Policing**
- **Neighborhood Watches/Community Councils/Citizen Patrols**
- **City Council Offices**
- **City Attorney's Office-DART Unit**



City of San Diego

Domestic Violence & Child Abuse Unit (DV)

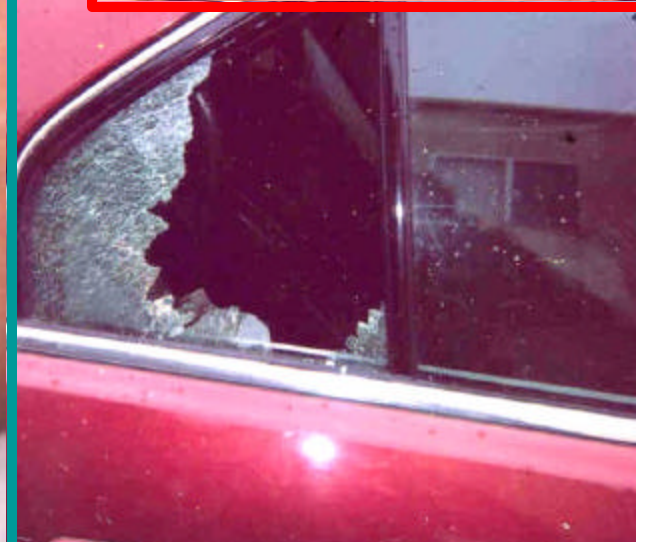
Timothy Campen
Head Deputy City Attorney

April 14, 2005



City of San Diego

DV Unit – Protecting Families

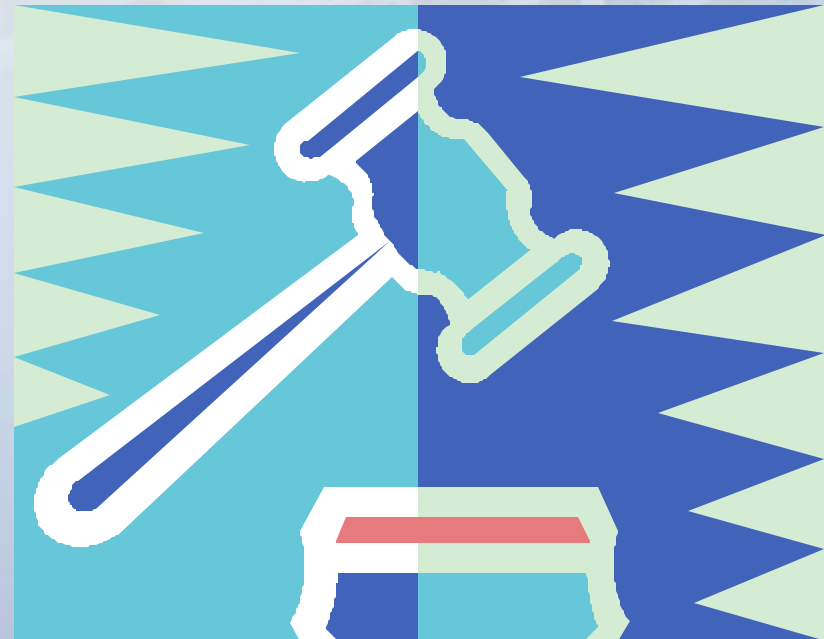




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DV Unit – Prosecution Cases

- **Domestic Violence**
- **Same Sex Domestic Violence**
- **Child Abuse**
- **Elder Abuse**
- **Stalking**
- **Sex Crimes**



City Attorney



City of San Diego

DV Unit – DV-Related Charges

- **Spousal Battery with Injury**
- **Domestic Violence Battery**
- **Criminal Threats**
- **Assault with a Deadly Weapon**
- **False Imprisonment**
- **Dissuading Witness from Calling Police**
- **Restraining Order Violation**
- **Child Endangerment**
- **Vandalism**

City Attorney



City of San Diego

DV Unit – Specialty Case Charges

- **Child Abuse/Endangerment**
- **Child Molestation**
- **Possession of Child Pornography**
- **Elder Abuse**
- **Stalking/Restraining Order Violation**
- **Sexual Battery**
- **Lewd Conduct in Public**
- **Sex Offender Registration Violation**

City Attorney



DV Unit Staff

- **11 Deputy City Attorneys**
- **3 Investigators**
- **3 Victim Advocates**
- **2 Legal Secretaries**
- **7 Support Staff**





DV Unit - Operations

- **True Vertical Prosecution**
 - **Defendant stays with assigned prosecutor forever**
 - **Screening and Charging**
 - **Negotiations**
 - **Case Preparation and Discovery**
 - **Pre-Trial Motions**
 - **Trial**
 - **Post Conviction Hearings and Probation Violations**
 - **Recidivism / New Cases**
- **Victim stays with one prosecutor**
- **Specially trained prosecutors**



DV Unit – Challenging Cases

- **Most victims are uncooperative**
- **Often involve family law matters**
 - **Divorce, child custody**
- **Involve life and death issues**
- **Battle myths about DV**



DV Unit – Philosophy

- **Treat domestic violence as a public offense, and not a private matter**
- **Get involved at the earliest stages of violence to prevent escalation**
- **Use the criminal justice system to change abusive behavior, and promote healthy relationships and families**
- **Protect victim safety, while holding batterers accountable for their actions**



DV Unit - Prosecution

- **90% of all DV cases in San Diego are misdemeanors**
- **Leader in “Evidence-Based Prosecution”**
 - **Train other prosecutors around the country**
 - **Contacted weekly for advice**
- **“Coordinated Community Response”**
- **Put victim safety as primary concern**
- **Hold batterers accountable**



DV Unit Saves Lives

- **Aggressive, comprehensive, and early prosecution of DV cases reduces violence escalation and homicides in San Diego**
 - **Mid-1980's – average 30 DV homicides per year**
 - **2002 - 9 DV homicides**
 - **2003 - 7 DV homicides**
 - **2004 - 6 DV homicides**
 - **2005 – 0 DV homicides as of April 14**



City of San Diego

Domestic Violence Homicides, Aiming for Zero



City Attorney



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DV Unit – Family Justice Center

- **DV Unit is fundamental component of the Family Justice Center**
- **Work closely with SDPD's DV Unit**
- **National model**
 - President's \$20 million initiative
 - Efforts to duplicate throughout the nation



City Attorney



City of San Diego

Unanimous Support



City Attorney



City of San Diego

DV Unit – Outreach & Affiliations

- Law enforcement training
- Regional and national training
- SDPD Child Abuse Unit line-up
- SDPD Sexual Assault Unit line-up
- DV Court
- Family Court – retraining orders
- United States Navy and Marines
- ICAC (Internet Crimes Against Children)
- DV Council
- Battered Women's Justice Project
- Elder Death Review
- Elder Abuse Council
- SAFE (Sexual Assault Felony Enforcement)



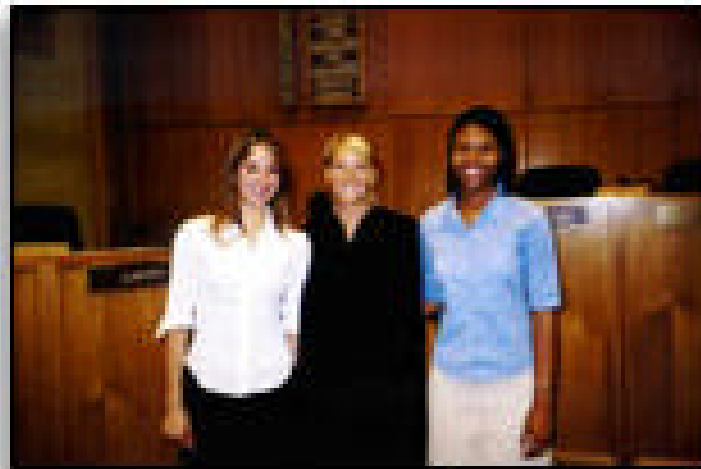
City Attorney



City of San Diego

DV Unit - Prevention Efforts

- **Teen Court**
 - Teen diversion program
- **Teen Relationship Violence**
- **Parenting Project**
- **SARB**
- **Community Presentations**
- **Media Requests**



City Attorney



City of San Diego

Public Integrity Unit

Patrick O'Toole
Deputy City Attorney

April 14, 2005



City of San Diego

Public Integrity Unit

- **Investigates and conducts misdemeanor prosecutions**
 - **Misuse of official positions and public resources**
 - **Public ethics violations**
 - **Election fraud violations**
- **Works with City Ethics Commission, County Grand Jury, United States Attorney, Attorney General, District Attorney**

City Attorney



City of San Diego

Present Misdemeanor Staffing

Rupert Linley
Assistant City Attorney

April 14, 2005



Present Misdemeanor Staffing

	City	DA
General/ DV	44	28
Neighborhood Prosecution	5	0
Consumer/Environmental	4	2
DART	2	2
Code Enforcement	5	0
STOP	1	0
Public Integrity	1	0
Total	62	32



City of San Diego

Per Deputy Maximum Caseload is 950 cases per year

Present total caseload

**City
45,000/ year**



**DA
26,800/ year**

City Attorney



District Attorney's Proposal

35 deputies: If all they did were general crimes, they could handle only 75% of the City's caseload. One in every four defendants would have to be released by the police and CHP.



The DA would have to DISBAND all these special units

- **Code Enforcement**
- **Neighborhood prosecution**
- **Public Integrity**
- **STOP**
- **Consumer/Environmental**
- **DART**



Costs

City

\$75,000 per employee

DA

\$110,000 per employee

46% higher for County



Bottom Line:

The District Attorney's proposal, even if the quality of our services were the same, would be roughly half of the service for almost the same costs



City of San Diego

Legal Opinion

Les Girard
Assistant City Attorney

April 14, 2005



City of San Diego

In 1953, the voters of the City of San Diego adopted Proposition F which added section 40.1 to the City Charters. Section 40.1 reads:

The City SHALL have concurrent jurisdiction with the District Attorney of the County of San Diego to prosecute persons charged with or guilty of the violation of the state laws occurring within the city limits of The City of San Diego for offenses constituting misdemeanors. [Emphasis added.]



The Charter reflects the express will of the voters that the City Attorney prosecute misdemeanors within the city limits. Only a vote of the people can remove that authority from the City Attorney.